

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**MICHAEL R. WATSON**

**PETITIONER**

**v.**

**Criminal No. 1:14cr56-LG-JCG-1  
Civil Action No. 1:16cv98-LG**

**UNITED STATES OF AMERICA**

**RESPONDENT**

**ORDER DENYING PETITIONER'S MOTION TO VACATE SENTENCE**

**BEFORE THE COURT** are the Motion [87] to Vacate, Correct, or Set Aside Sentence pursuant to 28 U.S.C. § 2255 and the Motion [88] to Proceed In Forma Pauperis (IFP) filed by Michael R. Watson. After reviewing the 2255 Motion, the record in this matter, and the applicable law, the Court finds that the 2255 Motion should be denied. Since no filing fee is required for a 2255 Motion, the IFP Motion is moot.

**DISCUSSION**

Watson pled guilty to possession of a stolen firearm in violation of 22 U.S.C. § 922(j), and he was sentenced to 120 months of imprisonment and three years of supervised release. He filed the present 2255 Motion, asserting that he is imprisoned in violation of his Fifth Amendment right to due process because a certified copy of the Judgment was not delivered to the prison.

Relief under 28 U.S.C.A. § 2255 is reserved for transgressions of constitutional rights and for a narrow range of injuries that could not have been raised on direct appeal and would, if condoned, result in a complete miscarriage of

justice. *United States v. Capua*, 656 F.2d 1033, 1037 (5th Cir.1981). No such claims are asserted here. Moreover, the return filed in this matter reflects that Watson was delivered to FCI Beckley on April 23, 2015 with a certified copy of the Judgment. (J. Returned Executed, ECF No. 86). The Judgment contains the signature of the undersigned, the Court's seal, and the signature of the deputy clerk, certifying that the Judgment is a true and correct copy of the electronically filed original Judgment. (*Id.*) As a result, Watson's argument is without merit, and his 2255 Motion is denied.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the Motion [87] to Vacate, Correct, or Set Aside Sentence pursuant to 28 U.S.C. § 2255 filed by Michael R. Watson is **DENIED**.

**IT IS, FURTHER, ORDERED AND ADJUDGED** that the Motion [88] to Proceed In Forma Pauperis (IFP) filed by Michael R. Watson is **MOOT**.

**SO ORDERED AND ADJUDGED** this the 22<sup>nd</sup> day of March, 2016.

s/ *Louis Guirola, Jr.*  
LOUIS GUIROLA, JR.  
CHIEF U.S. DISTRICT JUDGE